

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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MARCOS CALCANO, *on behalf of himself and*
all other persons similarly situated,

Plaintiff,

-against-

BUTH-NA-BODHAIGE, INC.

Defendant.
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ORDER

19-CV-10439 (PGG) (JLC)

JAMES L. COTT, United States Magistrate Judge.

By Amended Order of Reference dated March 3, 2020 (Dkt. No. 19), Judge Gardephe referred this case to me for a report and recommendation on Defendant's motion to dismiss dated March 2, 2020 (Dkt. No. 17). On March 6, 2020, Plaintiff filed an amended complaint (Dkt. No. 19). **No later than March 23, 2020**, Defendant is hereby directed to: (1) file an answer; (2) file a new motion to dismiss; or (3) in the alternative, file a letter on the docket stating that it will rely on its previously filed motion to dismiss but the motion will now be directed at the amended complaint. If Defendant files an answer or a new motion to dismiss, the Court will deny the previously filed motion to dismiss as moot.

SO ORDERED.

Dated: March 9, 2020
New York, New York



JAMES L. COTT
United States Magistrate Judge